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Arizona Corporation Commission

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**RESPONSE OF PUBLIC
INTEREST COALITION ON
ENERGY TO APPLICATIONS
FOR RECONSIDERATION
AND/OR REHEARING
REQUEST FOR STAY OF
DECISION NO. 59943**

The Coalition opposes the applications for rehearing and/or reconsideration and requests for stay of the Rules (collectively "the Applications"). The issues raised in the Applications have been raised previously by the various parties and were considered in the numerous hearings, meetings and workshops held by the Commission prior to the issuance

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 3000
 Street
 Dept
 Jacksonville
 Florida
 32202
 William
 H. Clark

MEMBERSHIP APPLICATION

Members will be designated by the company name. The company will retain the membership if the designee(s) leaves and should inform AAI of the new representative.

Date:

Firm Name

Firm's voting member:

Title:

Name of Top Arizona Executive & Title

Street Address:

City:

State

Zip Code:

Phone:

Fax:

Primary Product or Service:

TO OUR NEW MEMBER

The Arizona Association of Industries was established in 1964 by manufacturers who realized the need for representation at the state level when public policy decisions are made. The primary purpose of AAI is to actively lobby the state Senate and House of Representatives on behalf of industrial interests. AAI is dedicated to creating a safe environment for business through the legislative and regulatory process, monitoring all legislation, and keeping our members throughout the state informed on key industrial issues.

Consisting of hundreds of individual volunteer members, AAI is involved in issues affecting every segment of industry through our standing committees. Our legislative agenda is formulated through the committee process providing direction for our staff lobbyists. The public policy committee reviews laws and regulations affecting taxes, environmental programs, human resources, unemployment and workers' compensation and safety and health regulations. Education meetings, conferences and workshops are regularly held on these issues. AAI members are encouraged to attend and have an opportunity to network and share ideas with other business people like themselves.

The following paragraphs briefly describe each committee. If your company has a qualified specialist or a member of management interested in any or all of these fields, please complete the committee application.

Environmental Committee - Reviews all legislative and regulatory issues concerning environmental matters. Assists AAI members in compliance with county, state and federal agencies; works with the Arizona Department of Environmental Quality and the Maricopa County Department of Environmental Services to develop mutually agreeable legislation to foster environmental compliance and protection while minimizing negative economic impact; assists, whenever possible, in meeting the state's environmental goals and objectives; sponsors annual environmental conference; holds monthly meetings. Various sub-committees include: Industrial Hygiene, Air Quality-Maricopa County, Community Outreach, Industrial Waste, Wood Finishers, Air Quality-Pinal, Air Quality-Pima, Safety & Health and Water Quality.

of the Rules. The Coalition believes that the Rules represent a reasonable compromise of the numerous and varied positions, requests and demands of the many parties which appeared before the Commission during the hearings and proceedings which led to the adoption of the Rules. No party to this proceeding received the entirety of its requests or demands. The parties filing the Applications all indicate they favor competition, but in reality they hope to delay it as long as possible because they did not get every issue resolved in the way they requested.

As the Rules now stand they address the substantial majority of the issues raised by the various parties, and also provide for procedures to resolve additional issues as they arise in the future. The Rules provide for working groups to meet and make recommendations so that the Commission can then resolve issues not delineated in the Rules. Thus, contrary to the concerns voiced in the Applications, there are reasonable procedures in place to handle and resolve any remaining issues arising in the future, without the need to delay implementation of competition completely by a stay, rehearing and/or reconsideration of the Rules in their entirety.

The implementation of competition will not commence until January 1, 1999. It is critical that the Rules and target dates set in the Commission Rules not be vacated. The combination of target dates and time lines with procedures set in place for the resolution of additional issues is vital to the continued forward movement towards competition. The granting of a stay, rehearing and/or reconsideration would unduly delay the benefits of competition to the public and allow this matter to languish in the administrative process without giving the affected utilities and consumers the necessary motivation to work together to resolve any remaining issues in a timely fashion. As with other decisions, the

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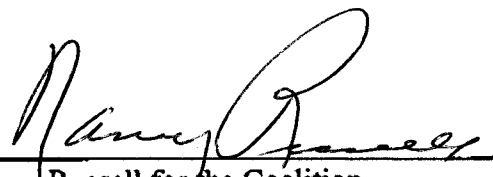
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Commission has the ability to amend the Rules as necessary to address and accommodate any additions, concerns or proposals that the Commission deems necessary. In addition, nothing in the Rules prevents the use of evidentiary hearings by the Commission to resolve issues.

Because the Coalition believes that the Rules establish a workable compromise of all the parties' different positions, the Coalition respectfully requests that each of the Applications for reconsideration and/or rehearing and request for stay of the Rules be denied. With the Rules in place the affected utilities and the other parties now have a framework within which to work towards a common goal with established time frames and incentives. If the public is to realize the benefits of competition in the provision of electric services within the next few years, it is important that the process continue.

RESPECTFULLY SUBMITTED this 28th day of January, 1997 on behalf of the
Public Interest Coalition on Energy.



Nancy Russell for the Coalition

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